IN THE UNITED STATES DISTRICT COUPET 28 PM 5: 36 FOR THE DISTRICT OF PUERTO RICO

CLERK'S OFFICE U.S. DISTRICT COURT SAN JUAN, P.R.

UNITED STATES OF AMERICA, Plaintiff.

INDICTMENT

Criminal No. 16-807 (PAD)

Javier GONZALEZ-OLIVERAS, Defendant,

v.

Violations: Title 18, <u>U.S.C.</u> §§, 922 (o) and 922(a)(2)

Forfeiture:

18 <u>U.S.C.</u> § 924(d)(1); 28 <u>U.S.C.</u> § 2461(c) (ONE COUNT)

THE GRAND JURY CHARGES:

<u>COUNT ONE</u> Possession of a Machine Gun

(Title 18, United States Code, Section 922(o))

On or about December 18, 2016, in the District of Puerto Rico and within the jurisdiction of this Court,

Javier GONZALEZ-OLIVERAS,

the defendant herein, did knowingly and unlawfully possess a machine gun, as that term is defined in Title 26, <u>United States Code</u>, § 5845(b), that is, a Spike's Tactical rifle, model Warthog, multi caliber, serial number WH04037; loaded with ten (10) rounds of .223 caliber ammunition, in addition to a magazine loaded with twenty (20) rounds of 5.56 caliber ammunition, modified to fire in a fully automatic capacity as a machinegun. All in violation of Title 18, <u>United States Code</u>, Sections 922(o) and 924(a)(2).

Firearms and Ammunition Forfeiture Allegation

(18 U.S.C. § 924(d) & 28 U.S.C. § 2461(c))

The allegations contained in Count ONE of this Indictment are hereby re-alleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 18, <u>United States Code</u>, Section 924(d) and Title 28, <u>United States Code</u>, Section 2461(c). Upon conviction of the offense in violation of Title 18, <u>United States Code</u>, Sections 922(o) set forth in Count ONE, of this Indictment, the defendant, shall forfeit to the United States pursuant to Title 18, <u>United States Code</u>, Section 924(d) and Title 28, <u>United States Code</u>, Section 2461(c), any firearms and ammunition involved or used in the commission of the offense, including, but not limited to, a Spike's Tactical rifle, model Warthog, multi caliber, serial number WH04037; loaded with ten (10) rounds of .223 caliber ammunition, in addition to a magazine loaded with twenty (20) rounds of 5.56 caliber ammunition.

All pursuant to 18 <u>U.S.C.</u> § 924(d) and 28 <u>U.S.C.</u> § 2461(c).

TRUE BILL.

ROSA EMILIA RODRIGUEZ-VELEZ

United States Attorney

Timothy Henwood

First Assistant U.S. Attorney

Jenifer Y. Hernández-Vega

Assistant U. S. Attorney

Deputy Chief Violent Crimes Unit

Dated: 12/28/2016

Max Perez-Bouret

Assistant U.S. Attorney